

CHAPTER 5

COMPENSATION

A. POLICY

The Military Departments shall develop compensation programs to enhance the recruitment and retention of well-qualified, scarce skill and/or shortage category individuals, or to fill positions in remote or undesirable work sites. These programs shall be developed based on the principle of CIPMS-wide comparability and be approved by ASD (FM&P) prior to implementation.

B. RATES OF BASIC PAY

As provided by 10 U.S.C. 1590, the rates of basic pay for CIPMS GS positions are fixed to correspond to rates for GS positions under Title 5, U.S. Code, which have corresponding levels of duties and responsibilities. In addition, no CIPMS employee may be paid at a rate in excess of the rate of basic pay payable at grade GS-18 under the General Schedule. The applicable Federal Wage System (FWS) wage schedules shall be the basic pay schedules for employees in trade, craft, and laboring occupations, including leaders and foremen, unless specifically modified by ASD (FM&P).

C. WITHIN-GRADE PAY INCREASES

Except as provided in this Manual (Chapter 5, subsection E.6 and Chapter 6, subsection C.4), CIPMS shall retain the Federal within-grade increase policies and procedures contained in the Federal Personnel Manual and DoD Regulations unless separate provisions are developed and approved by ASD (FM&P).

D. CIPMS SPECIAL SALARY RATES

1. The Military Departments may propose to ASD (FM&P) CIPMS special salary rates that exceed the GS or PUS rates that would otherwise be applicable. CIPMS special salary rates shall be established only upon a finding that competing sectors are paid substantially more than the Intelligence functions of the Military Departments and the salary gap significantly impedes the Intelligence functions' recruitment and retention of well-qualified applicants in a specified occupation and/or specialty and/or recruitment area. ASD (FM&P) approved CIPMS special salary rates shall be applied to all CIPMS positions meeting the criteria for the special CIPMS salary rate or schedule.

2. OPM-approved special salary schedules shall be applied unless specifically superseded by a CIPMS schedule or rate.

E. RECRUITMENT COMPENSATION

The Military Departments' compensation programs may provide for supplemental compensation to complement the above stated compensation provisions, in addition to existing programs available under Title 5, U.S. Code. These supplemental programs shall provide management with tools to attract and retain quality or scarce skill (shortage category) employees or to fill positions in remote or undesirable worksites. The Military Departments are authorized to determine quality applicants and/or employees, shortage categories, and remote or undesirable work sites. The following list includes options that may be used alone or in combination, as appropriate. The list is not intended to be all inclusive. If utilized, the Military Departments shall employ the definitions and policies found below for the various compensation tools. Additional compensation programs shall be reviewed and approved by ASD (FM&P) before use.

1. Premium Recruitment Bonus Payment. This is a recruitment bonus payment to an employee new to CIPMS (not having served in any CIPMS position for at least 90 calendar days) over and above scheduled salary who accepts a shortage category and/or hard-to-fill position, relocates to a remote or undesirable worksite, or possesses scarce skills. It may not be used when converting employees in their existing positions to CIPMS.

a. A bonus payment shall be equal to an amount, not less than \$500 and not more than \$10,000, determined by officials and procedures specified by each Military Department.

b. A payment may not be made to an individual unless such individual has entered into an agreement with the command or activity that provides that--

(1) such individual shall continue in a CIPMS position in the service of the employing Military Department for a period of time not less than 1 year.

(2) if the individual voluntarily accepts a change of position (by reassignment, transfer, change to lower grade, or promotion) to a non-CIPMS position, resigns from the Federal Service, or is separated (except by reason of a reduction-in-force) from CIPMS in the employing Military Department before the end of the period agreed to, such individual shall repay to the Government. any amounts paid under this provision.

c. If an individual fails to repay any amount required under section E.1.a., above, such amount is recoverable by the Government from the individual or the estate of such individual by:

(1) offset against accrued pay, compensation, amount of retirement credit, or other amount due the individual from the Government; and

(2) any other method provided by law for the recovery of amounts owed to the Government. The Secretary of the Military Department concerned may waive in whole or in part a right of recovery if it is shown that the recovery would be against equity and good conscience or against the public interest. The authority to waive right of recovery may be redelegate.

d. The full amount of a bonus under this section shall be paid, whether in a lump sum or in the form of periodic payments, before the end of the period of service agreed to under section E.1.b., above.

e. Each use of this authority shall be documented, to include the reason for its use, the determination of amount granted, and the required length of continued service for post audit and for program evaluation purposes.

f. A payment under this paragraph is not part of the basic pay of an individual and is not subject to retirement contributions.

2. Advanced Hiring Salary. This is similar to an advanced in-hire rate, in that it allows management the flexibility to set starting basic pay above the first step of the applicable GS or FWS pay scale for a new CIPMS employee. However, the procedures and rules that govern the advanced in-hire rate in the Federal Personnel Manual, to include any limitation on grade level or series for application, shall not apply to CIPMS. This compensation tool may not be used when converting employees in their existing positions to CIPMS. The Military Departments utilizing this authority shall:

a. Limit its use to individuals new to the Federal civilian service (individuals not employed in any Federal civilian position within the last 90 calendar days).

b. Limit the number of pay steps granted to the minimum required to at least meet, but not exceed by over 20% of base salary, bona fide offers

or current compensation (comparing basic pay and fringe benefit packages offered by other employers with the total compensation otherwise possible for the CIPMS position).

c. Document the basis for each use and step granted for post audit and for program evaluation purposes.

3. Payment of Travel and Transportation Expenses to an Interview and/or to the First Duty Station. Such payments shall be made in accordance with the provisions of the Joint Travel Regulations, Volume 2. However, such payments need not be limited by series or grade level restrictions otherwise levied by the Department of Defense or the Military Departments. Use of this authority shall be documented for post audit and for program evaluation purposes.

4. Advance Payment of Basic Pay. The Military Departments may provide for the advance payment of basic pay, covering a period of not more than two bi-weekly pay periods, to or for the account of any CIPMS employee who is appointed to a position, if the rate of pay for such a position is established under Section 5303 of Title 5, U.S. Code, or Section 1590 of Title 10, U.S. Code. Section 5522 of Title 5, U.S. Code, relating to the recovery of funds, applies with respect to any amounts advanced under this authority. The payback period for any advance payment of basic pay shall be a period to equal the service agreement or not less than 6 months from the appointment date of the employee. Military Departments shall also document use of this authority for post audit and for program evaluation purposes as determined by the Military Departments and OSD.

5. Pay Setting and Step Increase on Reassignment. Military Departments shall continue pay setting rules, in accordance with the Federal Personnel Manual, for promotions and other actions except that Departments may provide for pay setting rules or pay increases covering the movement of Federal employees to shortage category and/or hard-to-fill positions, to remote or undesirable worksites, or to attract high-quality skills.

a. Such pay increases may not be used for reassignment or transfer of CIPMS employees (employees within the same or different Military Department) within the same geographic commuting area.

b. Such pay increases also may not exceed the equivalent of two steps of the employee's current grade in the applicable GS or FWS salary schedule.

c. Each Military Department shall document the basis for each use for post audit and program evaluation purpose.

F. PREMIUM PAY

1. Administratively Uncontrollable Work Pay. Departments may provide for administratively uncontrollable work pay, in accordance with established OPM procedures. Approval authority may be delegated. Departments shall document use of this option for post audit and later program evaluation by either the Departments or OSD.

2. Other Premium Pay. Present allowances shall apply until additional CIPMS allowances are developed.

G. ALLOWANCES IN FOREIGN AND OVERSEAS AREAS

Present allowances shall remain in effect until additional CIPMS allowances are developed.

H. PAY FOR PERFORMANCE

Policy and guidance on monetary performance awards are found in Chapter 6.

I. RANK-IN-PERSON PROMOTION

A promotion of an employee, one grade above the proper classification of the position, may be granted when relative worth of the individual to the Department is substantially significant and is not measurable through the normal classification process. Regulations of the Military Departments choosing to use this option shall contain the following:

1. Individuals may be considered for Rank-In-Person (RIP) promotions only upon nomination by management.

2. RIP promotion consideration shall be limited to employees who have a minimum of 1 year in the position and a minimum of 2 years experience in the Intelligence Community immediately before granting the RIP promotion.

3. Failure to receive a RIP promotion may not be made a grievable matter under the grievance system.

4. RIP determinations shall be fully documented and be made part of any Departmental program evaluation system.

J. MANAGEMENT TO BUDGET

The special CIPMS incentives or entitlements contained in this chapter should be made a part of each Department's program and procedures for management to budget whenever possible.